(e) No, Sir.

(f) Does not arise.

(g) and (h) Whenever any unethical practice requiring action comes to the notice of the Delhi High Court, appropriate action in accordance with the Rules is taken.

सौराष्ट्र में उच्च न्यायालय की न्यायपीठ की स्थापना

3184. श्रीमती चन्द्रिका अभिनन्दन जैन: क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि:

(क) गुजरात के सौराष्ट्र-कच्छ क्षेत्र में उच्च न्यायालय की एक न्यायपीठ की स्थापना करने हेतु केंद्र सरकार द्वारा अब तक क्या कार्यवाही की गई है;

(ख) सरकार को अब तक इस क्षेत्र के विभिन्न संगठनों, सामाजिक संस्थाओं, स्थानीय वकीलों और विधायकों से कितने अभ्यावेदन प्राप्त हुए हैं;

(ग) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(घ) क्या सौराष्ट्र-कच्छ में उच्च न्यायालय की न्यायपीठ की स्थापना करने के लिए इस क्षेत्र के एक केंद्रीय स्थल राजकोट पर विचार किया जा रहा है?

विधि, न्याय और कंपनी कार्य मंत्रालय में राज्य मंत्री (श्री हंसराज भारद्वाज): (क) से (घ) सौराष्ट्र क्षेत्र के लिए गुजरात उच्च न्यायालय की न्यायपीठों की स्थापना किए जाने की बावत समय-समय पर अभ्यावेदन प्राप्त हुए हैं। किंतु इस संबंध में गुजरात सरकार से, गुजरात उच्च न्यायालय के मुख्य न्यायमूर्ति के परामर्श से, कोई प्रस्ताव प्राप्त नहीं हुआ है। जब तक ऐसा कोई प्रस्ताव प्राप्त नहीं होता, केंद्रीय सरकार द्वारा कोई कार्रवाई नहीं की जाती है।

Assembly Elections without voters' Identity cards

3185. SHRI CHIMANBHAI MEHATA:
SHRI P. UPENDRA:
SMT. RENUKA CHOWDHURY:
SHRI G.G. SWELL:
SHRI SARADA MOHANTY:

Will the PRIME MINISTER be pleased to state:

(a) whether the Assembly elections due after 1st January, 1995 are likely to be held without the voters' Identity cards;

(b) if so, whether Government are aware of the remarks of Supreme Court and of the public opinion that Government are not interested in issuance of identity cards;

(c) whether expenditure required for issue of identity cards is likely to be less than half a percent of Government expenditure;

(d) if so, the reasons that for several decades identity cards were not issued; and

(e) who is competent to issue identity cards, Chief Election Commissioner or Government?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE & CO. AFFAIRS (SHRI H.R. BHARDWAJ): (a) Government hopes that such a situation would not arise.

(b) Government is not aware of any such remarks having been made by the Supreme Court. Besides, Government has already agreed, in principle, too the issuance of Photo Identiy Cards.

(c) and (d) Though the estimated expenditure on issuance of Photo Identity Cards is around Rs. 1650/-crores which may by itself be a fraction of the total budgeted expenditure of the Central and State Governments, the cost factor has been a constraint on issuance of Identity Cards. Moreover, the scheme when earlier tried is Sikkim, Nagaland and certain areas of Meghalaya did not prove to be a success and the Election Commission, on review, had decided in 1982 not to extend the scheme.

(e) Under election law, after a constituency has been notified by Election Commission, Electoral Registration Officer is required to arrange for issuance of Photo Identity Cards.

Cases referred to Supreme Court

3186. SHRI KRISHAN LAL SHARMA: Will the PRIME MINISTER be pleased to state:

(a) what is the number of cases referred by Government to Supreme Court under Article 143 of the Constitution for opinion since 1950 together with the date of reference and nature of each case referred to;

(b) what is the time taken and the date on which Supreme Court gave its opinion in each case;

(c) when the Ayodhya issue was referred to Supreme Court; and

(d) the present position of the case?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): (a) to (d) Eleven Special References under Article 143 of the Constitution have been referred by the President to the Supreme Court for its opinion. A Statement showing the nature of each Special Reference and other details, is given in the annexed Statement.

Statement

Special reference cases under art. 143 of the Constitution

1. Special Reference No. 1 of 1951

Reg: Validity of Ajmer Marwara extension of Laws Act, 1947.

Date of Reference	:	7.1.1951
Date of Order	:	23.5.1951
Time Taken	:	4 months & 17 days.

2. Special Reference No. 1 of 1958

Reg: Constitutional validity of Kerala Education Bill, 1957.

Date of Reference	:	15.3.1958
Date of Order	:	22.5.1958
Time Taken	:	2 months & 7 days.

3. Special Reference No. 1 of 1959

Reg: Implementation of Indo-Pakistan agreement relating to Berubari Union and Exchange of Cooch-Bihar Enclaves.

Date of Reference	:	1.4.1959
Date of Order	:	14.3.1960
Time Taken	:	11 months & 14 days.

4. Special Reference No. 1 of 1962

Reg: Immunity of Property and Income of States from Union Taxation (Sea Customs Act).

Date of Reference	:	19.4.1962
Date of Order	:	10.5.1963
Time Taken	:	1 year & 22 days.

5. Special Reference No. 1 of 1964

Reg: Previleges and Immunities of legislature.

Date of Reference	:	26.3.1964
Date of Order	:	30.9.1964
Time Taken	:	6 months & 4 days.

6. Special Reference No. 1 of 1974

Reg: Interpretation of Presidential and Vice-Presidential Election.

Date of Reference	:	30.4.1974
Date of Order	:	5.6.1974
Time Taken	:	1 month and 5 days.

7. Special Reference No. 1 of 1978

Reg: Constitionality of Special Court's Bill, 1978.

Date of Reference	:	1.8.1978
Date of Order	:	1.12.1978
Time Taken	:	4 months

8. Special Reference No. 1 of 1981

Reg: Judicial power to suspend the operation of Statute.

Date of Reference	:	21.4.1981
Date of Order	:	4.8.1989
Time Taken	:	8 years, 3 months and 13 days.

9. Special Reference No. 1 of 1982

Reg: The Jammu and Kashmir grant of permit for re-settlement (or permanent return to the State Bill, 1980).

Date of Reference	:	30.9.1982 Pending

10. Special Reference No. 1 of 1991

Reg: The Cauvery Water Disputes between Karnataka and Tamil Nadu.

Date of Reference : 27.7.1991

Date of Order : 22.11.1991

Time Taken : 3 months and 26 days.

11. Special Reference No. 1 of 1993

Reg: "Whether a Hindu temple or any Hindu religious structure existed prior to the construction of the Ram Janma Bhumi — Babri Masjid (including the premises of the inner and outer courtyards of such structure) in the area on which the structure stood?"

Date of Reference : 7.1.1993

The hearing is in progress

Lawyers strike

3187. PROF. VIJAY KUMAR MALHOTRA: Will the PRIME MINISTER be pleased to state:

(a) Whether attention of Government has been drawn to the news-item captioned Vakilon ko harthal ke hak nahin — Allahabad High Court appearing in the Janasatta dated 26th July, 1994;

(b) if so, the facts thereof;

(c) the action taken by Government thereon to check the advocates going on strike frequently especially in lower courts;

(d) whether the judges of subordinate courts of Delhi have been found indulging in unethical practices in the past and some action taken against them;

(e) if so, the number of judges dismissed/ termminated/suspended, giving the reasons therefor;

(f) whether the condition/situation in the subordinate courts has improved;

(g) the number of cases pending in the lower courts in Delhi and since when; and

(h) the steps taken to finalise the pending cases?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ: (a) to (c) Yes Sir. A resolution adopted by the Chief Ministers and Chief Justices in their meeting held in December, 1993 recommended the constitution of committees of lawyers and judges at the appropriate levels to go into problems concerning lawyers' strike and evolve appropriate guidelines for preventing indiscriminate closure of courts. Copies of this Resolution have been forwarded to the Supreme Court, all High Courts and to the Bar Council of India for taking necessary follow-up action.

(d) to (f) An officer of Delhi Higher Judicial Service then working as Chief Metropolitan Magistrate was dismissed from service on 7.8.1987 and another officer of Delhi Judicial Service then working as Metropolitan Magistrate was removed from service on 16.12.1988, as a result of departmental enquiries held in their cases. Presently, three officers of Delhi Judicial Service are under suspension. Against two of them, cases under the Prevention of Corruption Act have been instituted in Courts and in respect of the third Officer, a departmental enquiry is going on.

(g) and (h) The number of cases pending in the lower courts as on 1.6.1993 is as under:-

District/Addl. District and Sessions Judges.	47,078 (Civil cases:30604) (Criminal cases: 16474)
Chief/Addl. Chief/. Metropolitan Magistrates	3,33,620
Sr./Sub-Judges' Courts.	76,093
Rent/Addl. Rent Controllers' Courts	21,363